Manual of Policies and Procedures

COMMUNITY CARE LICENSING DIVISION

FOSTER FAMILY AGENCIES

Title 22
Division 6
Chapter 8.8



STATE OF CALIFORNIA
Gray Davis, Governor
HEALTH AND HUMAN SERVICES AGENCY
Grantland Johnson, Secretary
DEPARTMENT OF SOCIAL SERVICES
Rita Saenz, Director

Distributed Under the Library Distribution Act June 1997 This page is intentionally left blank.

FOSTER FAMILY AGENCIES

TABLE OF CONTENTS

TITLE 22, DIVISION 6

CHAPTER 8.8 FOSTER FAMILY AGENCIES

Article 1. General Requirements and Definitions

	Section
General	88000
Definitions	88001
Article 2. License	
License Required	88005
Licensing of Integral Program Components	88008
Posting of License	88009
Limitations on License	88010
Article 3. Application Procedures	
Application for Licensure	88018
Criminal Record Clearance	88019
Child Abuse Index Clearance	88019.1
Plan of Operation	88022
Article 4. Certification and Use of Homes	
Identification of Certified Family Homes	88030
Limitation on Use of Specialized Certified Family Homes	88030.1
Prohibition of Licensure for Specialized Certified Family Homes	88030.2
Notification	88031
Emergency Condition - Continuation of Certification	88033
Use of County Licensed Foster Family Homes	88035
Article 5. Administrative Actions	
Inspection Authority of the Licensing Agency	88044
Decertification Authority of the Licensing Agency	88044.5
Evaluation Visits	88045

FOSTER FAMILY AGENCIES

TABLE OF CONTENTS (Continued)

Article 6. Complaints

	Section
Investigations of Child Abuse or Neglect Complaints	88050 88051
Article 7. Continuing Requirements	
Reporting Requirements	88061
Administrator - Qualifications and Duties	88064
Personnel Requirements	88065
Additional Personnel Requirements for Foster Family Agencies	
Placing Children with Special Health Care Needs	86065.1
Social Work Supervisor	88065.2
Social Work Personnel	88065.3
Social Work Supervisor/Social Worker Ratios	88065.4
Social Worker Ratios	88065.5
Personnel Records	88066
Additional Personnel Records for Foster Family Agencies	
Placing Children with Special Health Care Needs	88066.1
Admission Agreements	88068
Intake Procedures	88068.1
Needs and Services Plan	88068.2
Modifications to Needs and Services Plan	88068.3
Removal and/or Discharge Procedures	88068.4
Children's Medical Assessment	88069
Individualized Health Care Plans for Specialized Certified Family Homes	88069.1
Health Protection of Children - General Requirements	88069.2
Immunizations	88069.3
Content of Certified Family Home or Licensed	
Foster Family Home Case Record.	88069.7
Additional Content of Certified Family Home Case Records	
for Specialized Certified Family Homes	88069.8
Children's Case Records	88070
Additional Children's Records for Specialized Certified Family Homes	88070.1
Article 8. Physical Environment	
Administrative Office/Suboffice(s)	88087

FOSTER FAMILY AGENCIES

This Users' Manual is issued as an operational tool.

This Manual contains:

- a) Regulations adopted by the Department of Social Services (DSS) for the governance of its agents, licensees, and/or beneficiaries
- b) Regulations adopted by other State Departments affecting DSS programs
- c) Statutes from appropriate Codes which govern DSS programs
- d) Court decisions: and
- e) Operational standards by which DSS staff will evaluate performance within DSS programs.

Regulations of DSS are printed in gothic type as is this sentence.

Handbook material, which includes reprinted statutory material, other department's regulations and examples, is separated from the regulations by double lines and the phrases 'HANDBOOK BEGINS HERE", 'HANDBOOK CONTINUES", and 'HANDBOOK ENDS HERE" in bold print. Please note that both other departments' regulations and statutes are mandatory, not optional.

In addition, please note that as a result of the changes to a new computer system revised language in this manual letter and subsequent community care licensing manual letters will now be identified by graphic screen.

Questions relative to this Users' Manual should be directed to your usual program policy office.

This page is intentionally left blank.

CHAPTER 8.8 FOSTER FAMILY AGENCIES

Article 1. GENERAL REQUIREMENTS AND DEFINITIONS

88000 GENERAL 88000

- (a) Foster family agencies as defined in Section 88001(f)(1) shall be governed by the provisions in this chapter. In addition, such foster family agencies, except where specified otherwise in this chapter, shall be governed by Chapter 1, General Licensing Requirements.
- (b) Where the term, "facility," is used in Chapter 1, General Licensing Requirements, it includes all components of a foster family agency program including its administrative function, the operation of certified family homes and the subsequent placement of children.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1502, 1506 and 1530, Health and Safety Code.

88001 **DEFINITIONS** 88001

In addition to Section 80001, the following shall apply:

- a. (1) "Administrative Office" means the central administrative headquarters of the foster family agency and specified on the license(s) as such.
 - (2) "Administrator" means the person designated by the Board of Directors to be responsible for the operation of the foster family agency.
- b. (Reserved)
- c. (1) "Caseload" means the total number of children assigned to a foster family agency employee.
 - (2) "Certificate of Approval" means the document issued by a licensed foster family agency which authorizes a home to operate as a certified family home to be used exclusively by that foster family agency.
 - (3) "Certified Family Home" means a family residence certified by a licensed foster family agency and issued a certificate of approval by that agency as meeting licensing standards, and used only by that foster family agency for placements.
 - (4) "Certified Parent" means the adult(s) residing in the home certified by the foster family agency to provide care and supervision to children placed exclusively by that foster family agency.

CALIFORNIA-DSS-MANUAL-CCL

- (5) "Child with Special Health Care Needs" means a child who meets all of the following conditions:
 - (A) Has a medical condition that requires specialized in-home health care and
 - (B) Is one of the following:
 - 1. A child who has been adjudged a dependent of the court under Section 300 of the Welfare and Institutions Code.
 - 2. A child with a developmental disability who is receiving services and case management from a regional center.
- (6) "Client" means each individual child placed with the foster family agency.
- (7) "Complaint" means any notice of an alleged violation of any regulation or statute of this state, including but not limited to, Title 22 regulations and Penal Code violations.
- d. (Reserved)
- e. (Reserved)
- f. (1) "Family Health Care" means health care which does not require the skills of qualified technical or professional personnel and is provided to a child by the foster parent in accordance with Section 83075(e). When these requirements are met, the family health care that may be provided includes, but is not limited to the following:
 - (A) Routine administration of medications such as the administration of suppositories, ointments, lotions, pills, enemas or medications given by liquid medication dispenser, puffer, dropper or nebulizer.
 - (B) Changing ostomy or indwelling urinary catheter bags.
 - (C) Urine and blood glucose testing using a monitoring kit approved for home use.
 - (D) Heart and apnea monitoring when it is simply the case of providing stimulation to the infant/child when the cardiac or respiratory rate falls below a specified rate and not a matter of interpreting a monitor pattern with the intervention based on that interpretation.

- (E) Assistance with procedures self-administered by older children free of severe mental or physical disabilities such as insulin injection and oxygen administration.
- (2) "Foster Family Agency" means any organization engaged in the recruiting, certifying, and training of, and providing professional support to, certified parent(s), or in finding homes for placement of children for temporary or permanent care who require that level of care as an alternative to a group home. Private foster family agencies shall be organized and operated on a nonprofit basis.
- (3) "Foster Family Home" means any residential facility providing 24-hour care for six or fewer foster children which is owned, leased, or rented and is the residence of the foster parent or parents, including their family, in whose care the foster children have been placed. The placement may be by a public or private child placement agency or by a court order, or by voluntary placement by a parent, parents, or guardian.
- (4) "Full-Time" means employment of a total of 40 hours for one week or a total of 173 hours for one month.
- g. (1) "Geographic Area" means the area served by the foster family agency administrative office and suboffice(s), if any.
- h. (1) "Health Care Professional" means a physician or an individual who is licensed or certified under Division 2 of the Business and Professions Code to perform the necessary client care procedures prescribed by a physician. Such health care professionals include the following: Registered Nurse, Public Health Nurse, Licensed Vocational Nurse, Psychiatric Technician, Physical Therapist, Occupational Therapist and Respiratory Therapist.
- i. (1) "Individualized Health Care Plan" means the written plan developed by an individualized health care plan team and approved by the team physician, or other health care professional designated by the physician to serve on the team, for the provision of specialized in-home health care.
 - "Individualized Health Care Plan Team" means those individuals who develop an individualized health care plan for a child with special health care needs. This team must include the child's primary care physician or other health care professional designated by the physician, any involved medical team, the county social worker or regional center caseworker, and the registered nurse employed by or under contract with the foster family agency to supervise and monitor the specialized in-home health care provided to the child as stated in the child's individualized health care plan. The individualized health care plan team may include, but shall not be limited to, a public health nurse, representatives from the California Children's Services Program or the Child Health and Disability Prevention Program, regional centers, the county mental health department and where reunification is the goal, the parent or parents, if available. In addition, the individualized health care plan team may include the prospective specialized certified parent(s) who shall not participate in any team determination required by Sections 83010.1(a)(1)(C), 83065.1(a)(1)(B) and 88030.1(c)(1)(B).

- i. (Reserved)
- k. (Reserved)
- l. (Reserved)
- m. (1) "Medical Conditions Requiring Specialized In-Home Health Care" means, provided that care may be safely and adequately administered in the home:
 - (A) A dependency upon one or more of the following when, but for the fact that trained foster parents may provide these services under Welfare and Institutions Code Section 17736, the skills of qualified technical or professional personnel would be necessary: enteral feeding tube, total parenteral feeding, a cardiorespiratory monitor, intravenous therapy, a ventilator, oxygen support, urinary catheterization, renal dialysis, ministrations imposed by tracheostomy, colostomy, ileostomy, ileal conduit, or other medical or surgical procedures or special medication regimens, including injection, and intravenous medication; or
 - (B) Conditions such as AIDS, premature birth, congenital defects, severe seizure disorders, severe asthma, bronchopulmonary dysplasia, and severe gastroesophageal reflux when, because his/her condition could rapidly deteriorate causing permanent injury or death, the child requires in-home health care other than, or in addition to, family health care.
- n. (1) "Nontreatment Agency" means any foster family agency that certifies a home for placement of a child(ren) pending the adoption of the child(ren) by that family. A nontreatment agency does not provide therapeutic services such as those specified in the definition of a treatment agency at Section 88001t.(1).
- o. (Reserved)
- p. (1) "Private Foster Family Agency" means a foster family agency organized and operated as a nonprofit corporation and not part of any governmental entity.
 - (2) "Public Foster Family Agency" means a governmental entity designated by the appropriate governing body as an agency through which foster family agency services shall be offered.
- q. (Reserved)

88001

- r. (Reserved)
- s. (1) "Specialized Certified Family Home" means a certified family home which provides specialized in-home health care to children.
 - (2) "Specialized In-Home Health Care" means health care, other than family health care, identified by the child's physician as appropriately administered in the home by a health care professional or by a certified parent or staff trained by health care professionals.
 - (3) "Social Work Personnel" means employees who provide those services specified in Section 88065.3.
 - (4) "Suboffice" means any additional office set up by the foster family agency to supplement the services provided by the administrative office.
- t. (1) "Treatment Agency" means any foster family agency that provides therapeutic services to children who reside in certified family homes. The services, which are identified by social work staff assessing the child(ren)'s needs, may include, but not be limited to, education and mental health services, sexual or physical abuse counseling, alcohol or drug abuse counseling, and vocational training, and determining the appropriate individual case plan to ensure those needs are met.
- u. (Reserved)
- v. (Reserved)
- w. (Reserved)
- x. (Reserved)
- y. (Reserved)
- z. (Reserved)

NOTE: Authority cited: Section 17730, Welfare and Institutions Code and Section 1530, Health and Safety Code. Reference: Sections 17710(a), (g) and (i), 17731(c) and 17732(b), Welfare and Institutions Code and Sections 1502, 1506, 1530, 1530.5 and 1538, Health and Safety Code.

This page is intentionally left blank.

Article 2. LICENSE

88005 LICENSE REQUIRED

88005

- (a) In addition to 80005, the following shall apply:
 - (1) No individual, organization or governmental entity shall engage in recruiting and certifying homes for placement of children for temporary or permanent care without first obtaining a license from the licensing agency.
 - (A) A public foster family agency shall be designated by the appropriate governing body as a public foster family agency.
 - (B) A private foster family agency shall be a corporation organized and operated on a nonprofit basis.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1502, 1508 and 1530, Health and Safety Code.

88008 LICENSING OF INTEGRAL PROGRAM COMPONENTS

88008

(a) Notwithstanding Section 80008, the licensing agency shall have the authority to issue separate licenses to a single foster family agency to operate its program in various regions of the state as determined by the Department.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1509, 1530 and 1534, Health and Safety Code.

88009 POSTING OF LICENSE

88009

(a) The current, valid license(s) shall be posted in a prominent, publicly accessible location in the administrative office and copies of the applicable license shall be posted in each suboffice of the foster family agency.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Section 1508, Health and Safety Code.

88010 LIMITATIONS ON LICENSE

88010

- (a) In addition to Section 80010, the following shall apply:
 - (1) The license shall specifically indicate whether the foster family agency is authorized to operate a treatment and/or nontreatment program.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1506 and 1508, Health and Safety Code.

CALIFORNIA-DSS-MANUAL-CCL

Article 3. APPLICATION PROCEDURES

88018 APPLICATION FOR LICENSURE

88018

- (a) In addition to Section 80018, excluding Sections 80018(d)(6) and (13), the following shall apply:
 - (1) The application shall be filed with the licensing agency designated to serve the foster family agency proposed geographic area of service.
 - (2) The application shall be signed by the chief executive officer or other authorized member of the Board of Directors and shall be accompanied by written authorization of the governing board granting him/her authority to apply for the license.
 - (3) The application shall contain a written resolution from the governing board stating that it shall operate the foster family agency program in full conformity with applicable statutes and regulations.
 - (4) A private foster family agency shall submit copies of its articles of incorporation, bylaws (which must include provisions for control by a responsible governing board), annual statement filed with the Secretary of State, corporate charter (if applicable) and evidence certifying nonprofit status.
 - (5) The application shall include a written statement describing the manner in which the Board of Directors shall perform the duties specified at Section 88063(c).
 - (6) The application shall include a written plan of operation as defined in Section 88022.
 - (7) As a requirement for licensure, the chief executive officer or other authorized member of the Board of Directors and the administrator shall attend an orientation given by the licensing agency which outlines the applicable rules and regulations for operation of a foster family agency.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1520 and 1525.3, Health and Safety Code.

CALIFORNIA-DSS-MANUAL-CCL

This page is intentionally left blank.

88019 CRIMINAL RECORD CLEARANCE

88019

- (a) In addition to Section 80019, the following shall apply:
 - (1) Prior to certification by the foster family agency a criminal record clearance must be obtained for all certified family home applicants and all other adults residing in the home.
 - (A) Fingerprint cards and the Child Abuse Index Checks (LIC 198 [10/89]) shall be submitted directly to the State Department of Justice by the foster family agency.
 - (2) The foster family agency shall directly submit to the State Department of Justice fingerprint cards for all foster family agency personnel who have direct contact with children in accordance with Health and Safety Code Section 1522(b).
 - (3) Subsequent to certification, any person subject to criminal record review pursuant to Health and Safety Code Section 1522 shall, prior to employment, residence or initial presence in the certified family home, be fingerprinted and sign a declaration regarding any prior criminal convictions.
 - (A) The foster family agency shall submit the fingerprint cards to the State Department of Justice within four calendar days after employment, residence or initial presence in the home.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1522 and 1522.07, Health and Safety Code.

88019.1 CHILD ABUSE INDEX CLEARANCE

88019.1

- (a) Prior to certification by the foster family agency, a Child Abuse Index Clearance (LIC 198 [10/89]), as required by Health and Safety Code Section 1522.1, shall be obtained for all certified family home applicants and all other adults residing in the home.
 - (1) Child Abuse Index Checks (LIC 198 [10/89]) and the fingerprint cards shall be submitted directly to the State Department of Justice by the foster family agency.
- (b) The foster family agency shall directly submit to the State Department of Justice Child Abuse Index Checks (LIC 198 [10/89]) for all foster family agency personnel who have direct contact with children in accordance with Health and Safety Code Section 1522.1.
- (c) Subsequent to certification, any person subject to Child Abuse Index Clearance shall, prior to employment, residence or initial presence in the certified family home, complete the index check.
 - (1) The foster family agency shall submit the index checks and the fingerprint cards directly to the State Department of Justice.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Section 1522.1, Health and Safety Code.

88022 PLAN OF OPERATION

- (a) In addition to Section 80022, excluding Sections 80022(b)(7) and (8), the plan of operation shall contain the following:
 - (1) A description of the administrative organization, including the parent organization, if applicable.
 - (2) The location, including street address and mailing address, if different, for the administrative office and all suboffices.
 - (3) Complete job descriptions of all foster family agency positions, including number, classification, qualifications and duties, and information regarding lines of authority and staff responsibilities.
 - (4) A comprehensive program statement including:
 - (A) Goals of the foster family agency program.
 - (B) The types of children to be served.

PLAN OF OPERATION (Continued)

- (C) A description of the services to be provided to children, certified parent(s) and foster family home licensee(s) including the treatment services to be provided by the foster family agency program.
- (D) A description of emergency response services to be provided by the foster family agency including weekends, holidays and evenings.
- (5) A written description of the foster family agency training plan including:
 - (A) Employee orientations and ongoing training.
 - (B) Initial and ongoing training of certified parent(s), including training in child abuse identification, prevention, and treatment.
 - (C) Initial and ongoing training in child abuse identification, prevention, and treatment for foster family agency personnel who provide services to children, certified parent(s), and foster family home licensee(s).
 - (D) The types of training to be provided, who will conduct the training, and who will attend.
- (6) A statement regarding how the foster family agency will coordinate with community resources.
- (7) Procedures for the development, review, implementation and modification of the needs and services plan for children placed with the foster family agency.

88022 (Cont.)	FOSTER FAMILY AGENCIES	Regulations

PLAN OF OPERATION (Continued)

88022

(8) Procedures for the development, maintenance and implementation of removal and discharge procedures for children placed with the foster family agency.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Section 11174.1, Penal Code; and Sections 1506 and 1520, Health and Safety Code.

CALIFORNIA-DSS-MANUAL-CCL

Article 4. CERTIFICATION AND USE OF HOMES

88030 IDENTIFICATION OF CERTIFIED FAMILY HOMES

88030

- (a) Each certified family home used by a licensed foster family agency shall be provided with a Certificate of Approval, properly completed and signed by the administrator of the foster family agency or his/her designee.
- (b) The Certificate of Approval shall include the following:
 - (1) The capacity for which the home has been certified.
 - (2) The age range of children to be served.
 - (3) Any limitations of the home, including ambulatory status.
 - (4) Any preferences requested by the home.
 - (5) Date of issuance.
 - (6) Date of expiration not to exceed one year from the date of issuance.
- (c) A copy of the Certificate of Approval shall be kept in the certified family home case records maintained by the foster family agency.
- (d) A Certificate of Approval is not transferable and shall be void upon a change of location or certified parent(s) except under emergency conditions as specified in Section 88033.
- (e) Certified family homes shall conform to the regulations for "General Licensing Requirements," Chapter 1, commencing with Section 80000; and "Small Family Homes," Chapter 4, commencing with Section 83000, excluding Sections 83010.1(a)(2), 83032, 83068.1, 83066(b) and (c), 83068.2, 83068.3, 83069.1(a)(5)(A) and 83070.1(d).

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1502, 1506, 1530 and 1530.5, Health and Safety Code.

88030.1 LIMITATION ON USE OF SPECIALIZED CERTIFIED FAMILY HOMES 88030.1

- (a) The foster family agency may place children with special health care needs in certified family homes but not licensed foster family homes, however, no more than two children shall be placed in a specialized certified family home with the following exception:
 - (1) The foster family agency may place a third child with or without special health care needs provided that the capacity, as determined by the foster family agency under Section 80028 is not exceeded, and the conditions specified in Sections 83010.1(a)(1)(A), (B) and (C) are met.
- (b) The foster family agency shall not place any child with special health care needs in a certified family home unless the certified parent has completed specialized in-home health care training as required by Section 83065.1(a).
- (c) The foster family agency shall not place a child if the child requires in-home health care other than family health care, unless the child is a child with special health care needs.

NOTE: Authority cited: Section 17730, Welfare and Institutions Code and Section 1530, Health and Safety Code. Reference: Section 17731(c), 17732(a) and 17736(a), Welfare and Institutions Code and Sections 1502(a) and 1507, Health and Safety Code.

88030.2 PROHIBITION OF LICENSURE FOR SPECIALIZED CERTIFIED FAMILY HOMES

88030.2

- (a) The foster family agency shall not place or permit the continued placement of children with special health care needs in a specialized certified family home for which the certified parent holds any day care or health care facility license for the same premises as the specialized certified family home.
 - (1) If the foster family agency plans to place a child with special health care needs in a specialized certified family home whose certified parent holds a license as specified in Section 88030.2(a), the foster family agency shall verify that the certified parent has surrendered the license to the licensing agency prior to placing the child.
 - (2) The provisions specified in Sections 88030.2(a) and (a)(1) shall not apply to existing placements of children with special health care needs in certified family homes that meet the conditions specified in Sections 83010.2(a)(2)(A) and (B).

NOTE: Authority cited: Section 17730, Welfare and Institutions Code and Section 1530, Health and Safety Code. Reference: Section 17732(a), Welfare and Institutions Code and Sections 1300, 1506(a), 1524(c) and 1531, Health and Safety Code.

88031 NOTIFICATION

88031

Repealed by Manual Letter No. CCL-99-02, effective 6/28/99.

88033 EMERGENCY CONDITION - CONTINUATION OF CERTIFICATION 88033

- (a) The foster family agency may consent to a change of location and continuation under the existing Certificate of Approval of any certified family home, when the change is required because of the destruction of the premises or similar emergency conditions so long as the new location or place of residence conforms to all requirements.
 - (1) The foster family agency shall verify compliance with applicable statutes and regulations by conducting a site visit to the new location.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1506, 1530 and 1531, Health and Safety Code.

88035 USE OF COUNTY LICENSED FOSTER FAMILY HOMES

88035

- (a) A foster family agency shall place in a county licensed foster family home as provided:
 - (1) Foster family agencies shall not use foster family homes licensed by a county without the approval of the licensing county. When approval is granted, a written agreement between the foster family agency and the county shall specify the nature of administrative control and case management responsibility and the nature and number of children to be served in the home.

CALIFORNIA-DSS-MANUAL-CCL

88035 USE OF COUNTY LICENSED FOSTER FAMILY HOMES (Continued)

88035

- (2) Before a foster family agency may use a licensed foster family home it shall review and, with the exception of a new fingerprint clearance, qualify the home in accordance with Health and Safety Code Section 1506.
- (3) When approval is given, and for the duration of the agreement permitting the foster family agency use of its licensed foster family home, no child shall be placed in that home except through the foster family agency.
- (4) Nothing in this section shall transfer or eliminate the responsibility of the placing agency for the care, custody, or control of the child. Nothing in this section shall relieve a foster family agency of its responsibilities for or on behalf of a child placed with it.
- (b) The county licensing agency shall continue to monitor the home as a licensed foster family home and shall maintain authority over all licensing activities.
- (c) The foster family agency shall approve the county licensed foster family home by documenting that the home is willing and able to meet any additional conditions required by the foster family agency in order to provide the appropriate level of services to the children placed in that home.
- (d) The foster family agency shall provide social work services to both the foster parents and children placed by the foster family agency into a county licensed foster family home.
- (e) The foster family agency shall maintain the following material on file for all county licensed foster family homes utilized by the agency for placement:
 - (1) A copy of the written agreement between the county licensing agency and the foster family agency as provided in Health and Safety Code Section 1506.5(a).
 - (2) A copy of the foster family home license.
 - (3) A copy of the written agreement with the foster family home licensee documenting that it is willing and able to conform to all foster family agency conditions imposed upon the home.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1506, 1506.5 and 1530, Health and Safety Code.

Article 5. ADMINISTRATIVE ACTIONS

88044 INSPECTION AUTHORITY OF THE LICENSING AGENCY

88044

- (a) The licensing agency has the authority to inspect foster family agencies in compliance with Health and Safety Code Sections 1526.5, 1533, 1534, and 1538.
- (b) The licensing agency has the authority to inspect certified family homes in compliance with Health and Safety Code Sections 1533, 1534, and 1538.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1526.5, 1533, 1534, and 1538, Health and Safety Code.

88044.5 DECERTIFICATION AUTHORITY OF THE LICENSING AGENCY 88044.5

- (a) If the licensing agency determines that a certified family home is out of compliance with applicable statutes and regulations, the licensing agency may require a foster family agency to decertify a certified family home.
 - (1) The certified family home may appeal the decertification to the Department and be provided an administrative hearing pursuant to Section 1551 of the Health and Safety Code.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1530, 1534 and 1551, Health and Safety Code.

88045 EVALUATION VISITS

88045

- (a) The licensing agency shall have the authority to inspect the certified family homes used by the foster family agency as often as necessary to ensure the quality of care being provided.
- (b) The licensing agency shall select the certified family homes to be inspected.
- (c) A representative of the foster family agency shall accompany the licensing evaluator on an evaluation inspection.

HANDBOOK BEGINS HERE

(1) For complaint investigations, the licensing agency shall determine whether to have a foster family agency representative accompany the licensing evaluator.

HANDBOOK ENDS HERE

CALIFORNIA-DSS-MANUAL-CCL

MANUAL LETTER NO. CCL-99-02

Effective 6/28/99

88045 (Cont.)

FOSTER FAMILY AGENCIES

Regulations

88045 EVALUATION VISITS (Continued)

88045

(d) The foster family agency shall inform the certified family homes at the time of certification of the licensing agency authority to conduct inspections of the certified family homes as provided by Health and Safety Code Section 1534.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1530, 1530.5, 1533 and 1534, Health and Safety Code.

Regulations	FOSTER FAMILY AGENCIES	88051
	Article 6. COMPLAINTS	
88050	INVESTIGATIONS OF CHILD ABUSE OR NEGLECT COMPLAINTS	88050
Repealed b	y Manual Letter No. CCL-99-02, effective 6/28/99.	
88051	INVESTIGATION OF COMPLAINTS OTHER THAN CHILD ABUSE OR NEGLECT	88051

Repealed by Manual Letter No. CCL-99-02, effective 6/28/99.

CALIFORNIA-DSS-MANUAL-CCL

MANUAL LETTER NO. CCL-99-02

Effective 6/28/99